

## New-York Daily Tribune

SATURDAY, AUGUST 9, 1856.

ADVERTISEMENTS FOR THE DAILY TRIBUNE must be handed in before five o'clock in the evening in order to secure their appearance the following morning.

A limited number of advertisements are taken in THE WEEKLY TRIBUNE at the rate of one dollar a line. This paper has attained a circulation of 173,000 copies, and is unquestionably the best medium extant for advertising in the country. Advertisements should be handed in at any time before, and not later than Tuesday of each week.

The Senate yesterday passed the House bill, giving Mississippi a million and a half acres of land for railroads, passed several private bills, and decided that no more legislation is necessary to enable R. W. Thompson to draw \$42,000 for services rendered the Menomonee Indians.

In the House a resolution was adopted to allow Mr. Reeder per diem and mileage, and the subject of civil appropriations was considered, but nothing of importance was done except the defeat of an appropriation of \$300,000 for the continuation of the Washington Aqueduct.

IOWA is the first Free State to vote since the Presidential nominations, and there appears to be no doubt as to her way of thinking. Our latest dispatches affirm the election of the Republican State Officers, both Members of Congress, (never both carried our way before,) and the Legislature by large majorities. The following are the reported majorities in the counties heard from by telegraph, as compared with the vote for Governor in 1854, when Grimes (Republican) was elected, under the immediate effect of the Nebraska Iniquity, by 2,456 majority, running far ahead of his ticket. We then carried one Congressman by 1,551, and lost the other by 179.

STATE-1856.		GOVERNOR-1854.	
Counties.	Rep.	Dem.	Grimes. Bates.
Scott.....	360	—	634
Henry.....	80	—	168
DeMotte.....	60	—	186
Louis.....	360	—	192
Jefferson.....	300	—	41
Van Buren.....	200	—	376
Washington.....	250	—	99
Jackson.....	150	—	120
Muscataine.....	300	—	225
Linn.....	500	—	70
Blackman.....	250	—	83
Dubois.....	150	—	355
Clayton.....	400	—	91
Iowa.....	200	—	177
Fayette.....	100	—	250
Black Hawk.....	300	—	139
Johnson.....	300	—	800
Dubuque.....	—	800	432
Lee.....	—	250	251

Total (20 Co's), 5,240 1,650 2,690 950  
Rep. maj., 4,190; Dem. in '54, 1,919; Republican gain, 2,271.

MISSOURI returns are very confused and struggling, owing to the running of three tickets. We presume Col. Benton is not elected Governor, but cannot say which of his competitors is. The probabilities would seem to favor Ewing, but the South-west remains to be heard from, and there Polk will doubtless lead.

We have no confirmation from St. Louis of the report in Washington that Kennett is returned to Congress over Blair, and do not credit it. It may be true, but if so, our St. Louis dispatchers ought to have announced it.

NORTH CAROLINA has doubtless followed in the wake of her old-time Whig sister, Kentucky, by giving a large majority for the stronger party of Slavery Extensionists. This does not disappoint us, as the result in Kentucky did. But the fact is, the country is weary of never-ending, still-begging controversy respecting Slavery Extension, and is determined to bring the question to a direct and final issue. Slave States and Free States agree in this, and vote accordingly, repelling all issues as untimely and impertinent. We did think Mr. Fillmore would obtain the votes of two or three Slave States; we are now convinced that he will get no Electoral Vote in any State of the Union. He may draw off popular votes enough to defeat Fremont, or he may not; but by-and-by there is no significance in his running, and he might as well be taken out of the canvass.

There are some things—and even some words—hard to bear with patience, and among these the discrepancy between traitors to justice, morality, liberty, and every honorable obligation accuse true men of treason, is one of the hardest.

Take the present state of things in Spain, for example. There is not a demonstration in Euclid morally clearer than is the proposition that the Queen, Count and their sordid army chiefs are the real traitors, while those they have betrayed and butchered are loyal and faithful patriots. The Spanish People have repeatedly and fairly won their liberties—first, in the long and bloody war with Napoleon. Their King, Ferdinand VII., who was a state prisoner in France during the whole of that struggle, returned with oaths on his lips to govern them according to their Constitution—oaths which he made haste to break at the earliest moment. In a few years, they rose against his usurpation and compelled him to renew his vows of fealty to a constitutional form of government—vows which he readily took, but at the same time dispatched confidential emissaries to the courts of other monarchs, begging them to fly to his aid and deliver him from the Constitution he had sworn to uphold and the necessity of keeping his oath. France, as the instrument of the Holy Alliance, sent the Duc d'Angoulême at the head of 100,000 men, and crushed out the liberties of Spain. Years passed, and France became engaged, with Great Britain for an ally, in a great war with Russia, and the Spanish patriots again improved their opportunity. In 1854 the people vanquished their detested tyrants in fair fight, drove away some of the most obstinate and infamous of the crew, and compelled their uneducated and licentious but not utterly depraved Queen to sign a fresh compact to govern according to a liberal Constitution. This Constitution she has just overthrown, dismissing her liberal Ministry, and selecting one congenial to the heart of despotism; and, when the Cortes unanimously protested, her Ministers dispersed them by the bayonet, and proceeded to put down the people who rallied to defend their imperiled liberties by sweeping the streets of Madrid with grape and battering down its edifices with round shot. The people, deserted by their leaders, finally gave way, and Royal treason, backed by the Army, is for the moment triumphant, at least in the capital. Yet this does not at all affect the truth that the treason was plotted in the Palace, though probably instigated from the Tuilleries, where perjury and all forms of crime against the Rights of Man have their focus. The more infamous mother of the Spanish Queen lives in France, and has for some time been trembling for the result of an investigation ordered

by the Cortes, which, it was supposed, would unmask some of her gigantic robberies of the Spanish treasury. Her danger is probably averted by this new coup d'état. And now the successful conspirators talk grandly of treason—not theirs, but that of the people who resisted their giant crime—and are willing to be gracious to those of the misguided who will manifest becoming contrition!

The same spectacle is evinced in our own country. There is not one honest, intelligent man who has carefully watched the progress of events in Kansas who does not know that the persons really guilty of treason there are the Border Ruffians who invaded the Territory on her day of election, filled the ballot-boxes with illegal votes, drove off the legal voters, and in some instances expelled the judges of election whom they could not bend to their will, with the Legislators and other functionaries whose pretense to legal authority is based upon these election outrages. The men who framed that Border-Ruffian code at Shawnee Mission were morally guilty of treason; those who have scouted and defied it have only done what true men were bound to do. We shall bear with regret, therefore, that all the infamous indictments for treason found by Lecompte and his tools at Lecompton have been quashed. Let the State prisoners now guarded by U. S. troops be liberated on nominal bail, and let the venue be changed to some place where they can have a fair trial—Vermont, for example—but do not let these cases be so easily got rid of. Let the prisoners out on nominal bail—not one of them will seek to evade a trial, as their persecutors will know—and let their case come on at some spot where to lose Liberty and resist Villainy is not a crime. They ought to be secured a fair trial and freedom to prepare for it—more they do not ask or desire. When the turn of the real traitors shall come, we shall ask as much for them.

The great question which now absorbs the model Republic being whether or not a boundless new market shall be opened to the slave-breeder and slave-trader of the South, and whether the average price of their droves of "niggers" shall be raised from \$800 a head to \$3,000 and \$5,000, as Gov. Wise authorizes us to hope it may be by the election of Mr. Buchanan, it becomes more than ever a duty to study carefully the effect which the pursuit of those kindred branches of business has upon the moral and commercial prosperity of a community. The facts in the case are already tolerably well known to people who are wont to inform themselves on public questions, but, by way of impressing them anew upon our readers, let us look for a moment at that once honored and powerful State, which boasts this same genial and enthusiastic Wise as its Chief Magistrate.

Geographically, Virginia lies in the center of our Atlantic States. She is the largest of them, embracing a territory of over twenty-six million acres, less than ten and a half millions of which are in improved farms, the remainder being wild land, and the value of the whole, according to the census of 1850, \$316,401,441. New-York has nearly twelve and a half million acres in improved farms, and about six and three-quarter millions unimproved, of a total value of \$54,500,000, or more than twice that of the lands of Virginia, possessing only two million less of improved acres. Although Virginia shows about seven millions more acres of territory than New-York, her whole soil is only worth half as much. To be very liberal, we will call the waste mountainous land of Virginia three times in quantity that of New-York, and this will leave Virginia an enormous surplus of productive acres over New-York, on an average quite as fertile in its original condition. Virginia has a population, according to the census of 1850, only a fraction short of 900,000 whites and 472,500 slaves, beside about 54,000 free colored persons. To make this mixed population on a par with whites, so far as productive labor is concerned, we will allow Virginia 1,300,000 people equal to white folks, though this is giving her too much; for the machinery which the Northern farmers use to aid their manual labor far more than balances all the available slave labor Virginia can control, slaves not being able to wield this machinery, simply because they do not know how. Against this whole population of Virginia we will put that of New-York in 1850, striking out the cities of New-York and Brooklyn, which will leave us about two and a half millions to be divided among the agricultural and manufacturing classes, and the country cities and villages.

But look again at the geographical position of Virginia. It lies between latitudes 36° and 39° north, covering about 8° of longitude, embracing the finest climate in the United States and favorable to the fullest development of the physical man, and all the grains, animals and fruits which we cultivate. She has three noble, navigable rivers, two of which extend into the heart of the State and the other for nearly 100 miles along her northern boundary, beside numberless smaller ones which pour into the noblest bay of America—and that bay half of it within her own boundaries, with the harbor of Norfolk, decidedly the best in America, accessible at all times. In the valleys of this bay exist fisheries of great value. Vast tracts of rich agricultural lands lie spread over her surface; water power incalculable and accessible; scenery the most magnificent in her hills and mountains; springs and small streams without number, running in every direction to fertilize and water her farms; "mines of gold, copper, lead, iron, coal, salt, lime, marble, gypsum, magnesian and alum earths," "marble, granites, soapstones and sandstones," "among the treasures as yet for the most part unbedded in the bowels of the earth." Such are her natural resources, and yet Virginia in her agriculture and population—once the first—is now the fifth State in the Union. In territory, her ancient renown, and in which she should now show second-rank, is low; her commerce, trade and manufactures are nowhere; although in all the materials to build up and sustain a mighty State, she is the richest of all! In fact, Virginia has little left of former comparative greatness but "pleasant memories," to which she is always alive in the contemplation of great statesmen and official dignitaries who have enjoyed a nation's honors. Of the utter paucity of her present great men, we need not speak; it is in her past that she glories. Her magnates have dwindled like her agriculture, and decayed with her abandoned soils. Modern Virginians show only their present prowess in slave-breeding, and advocating the rotten-borough system of a past age. They are now chiefly perturbed in maintaining an exploded system which some other Slave States even are ashamed to uphold. Such is Virginia now—an effete empire—holding back in a sordid obstinacy to the politics of Nathaniel Bacon and John Randolph, a magnificent specimen of "stationary progress." There she lies, a

brood, outstretched, grand territory, in the heart of a great nation, possessing more natural resources for sustaining a great population and immense wealth than any other State, and yet a country putting us in mind of the remark of John Quincy Adams in Congress, who, in advocating the propriety of an immediate occupancy of Oregon by our people, said "it was our duty as a free and 'civilized nation'—and he drew his position from Divine authority—to take possession of, and 'reduce to cultivation, all waste territory within 'our reach.'"

Matched with New-York, as we have shown by statistics, Virginia is a waste territory, comparatively. Her Slavery, moving over the earth like the army-worm, has set upon the fertile spots of land, exhausted them, and then moved on to ravage other fertile spots; yet, unlike the army-worm, which leaves the land sear and only by its blighting work, but free to the hand of renewed cultivation, still holds it under the bondage of slave laws, and shuts out all renovation, which can only be accomplished by free labor. Were English law applied to Virginia, the statutes of eminent domain, or the Irish encumbered estates would be enforced on the plea of public rational necessity, whereas that noble territory is now occupied by less than a million of white people, who make a poor living on the laborers and increase of less than half a million of enslaved negroes—a beautiful commentary upon our boasted American progress in civil and religious liberty!

According to her own statistics, the white population of Virginia, as a race, are uneducated, a large proportion of them being brutally ignorant, while the slaves generally are in an utter mental darkness as the horses or the cattle that they drive. Indeed, public education and religion cannot exist with Slavery, while for all future time, so long as we have new territory to occupy under such a system of labor, this course of things must go on in tenfold intensity. And yet the astounding anomaly is presented that less than half of the free white population of Virginia enforce this odious system upon the unwilling larger moiety; and in the face of all this they clamor continually against their dependence upon the Free States for their manufacturing and commercial resources, and threaten to establish their independence of them hereafter by conventions! A cure for these evils lies in the abandonment of Slavery as the basis of society and of slave breeding as the principal industry and source of revenue. This done, and in another generation Virginia would be second only to New-York and Pennsylvania in agriculture, commerce and manufactures, the great sources of wealth, prosperity and happiness in all nations. Northern farmers, manufacturers and merchants would pour in upon her, her lands would be tilled in value, her population would grow alike in numbers and intelligence, and her resources and wealth would be augmented to a degree that even the most visionary anticipations of Wise himself never compassed.

It seems that but fourteen out of the forty-two Judges of the State were at the Albany Convention on the 6th and 7th ult. In consequence of this slim attendance, it was thought proper to take no decisive action upon the Court rules, but simply to appoint a Committee, with instructions to report upon them in 1858. A good deal of harmless discussion was indulged in, with regard to "the standing rule," which requires Counsel, while examining witnesses, to remain on their legs, "unless the Court shall otherwise order"—a provision which, in many Districts as well as this, has rendered the rule practically ineffective. It was generally deemed best, however, to leave the matter as heretofore, in the discretion of the presiding Judge. The subject of admissions to the bar was also talked about; but nothing definite decided, or even suggested, so far as we learn.

It is to be regretted that some general plan of future examinations should not have been agreed upon, or at least some hints thrown out as to the stringency with which they were to be conducted, both to insure uniformity of practice and to inform those who are beginning study of what they are to expect. Almost any good plan, almost any rational standard would probably have been accepted by the absent Judges and put in practice until the next general Convention, when, we hope, some system like the English may be adopted. But the matter is now left to the Judges of each District to decide for themselves; and the promise by Judge Roosevelt that examinations should be more rigid in this city holds good for September next. It would be but fair, however, to make known beforehand any great step for the better, in order to warn the unprepared of the mortifying rejection to which they may be subjected. The provision in the second rule, that the applicant must prove that he is a resident of the District in which he applies, will prevent all attempts by the student to change his place of trial, even if it were possible to find a more lenient tribunal elsewhere.

The Convention did nothing, as we have said, because a third of its members were present. The reason is a good one—there was no quorum in attendance. But why not? What propriety is there in Judges, of all men, neglecting to obey the plain letter of the statute? The Code (sec. 470) says: "The Judges of the Supreme Court, of the Superior Court of the City of New-York, and of the Court of Common Pleas of the City and County of New-York, shall meet in general session in 'Capitol in Albany, on the first Wednesday in August, 1856, and every two years thereafter.' If this had been designed wholly, as perhaps it was in part, to let the Judges who, under the present system, have no other opportunity in the course of their duties, become acquainted with one another, compare notes on the work of the preceding year, derive what advantage they may from each other's experience, and try to introduce some uniformity of practice and harmony in those numerous points which are left to the discretion of each Justice—the effect of all which would be infusing a fresh spirit into the administration of the law, and creating a little concert of action among them on the Bench in the several districts—if this were all, those who failed to be present would be justly blame-worthy. From politicians to dentists, every class of men has its Conventions, which are all largely attended, and are supposed to put new life into their members. If nothing more. Is the law, as at present administered in this State, the only thing, then, which is not susceptible of improvement? Is it really "the perfection of reason"? We shall not presume to answer the question.

But this biennial Convention has a special duty to perform. It is called "to revise the general rules of Court, and to make such amendments thereto as such further rules, not inconsistent with the

"Code, as may be necessary to carry it into full effect." The Convention has met but twice since the passage of this statute. Was there nothing to be done at a third session? The statute says, yes; so say the Judges who were present at Albany, if the consumption of two days in discussing various questions and the appointment of their Committee means anything. The Code introduced a new system of practice, at first incomplete, consequently amended year after year, and still, if the lawyers are to be believed, wanting in perspicuity and precision. The rules of Court are to carry it into full effect; they must, therefore, change as it changes; besides, they will naturally be found deficient on trial, and require correction and enlargement, especially when it is considered that they were framed by men grown stiff under an entirely different system. In view of all these facts, we confess ourselves much surprised at the remissness of so many heads of the law. Do they really prefer Saratoga to duty? Can they not spare a couple of days once in two years from their Summer vacation, for the purpose of looking into matters of prime consequence to their profession and the public, and inquiring whether the wheels of Justice may not be made to move with less friction and more speed?

On the 15th day of August, 1852, John C. Fremont and his little band of explorers scaled the highest peak of the Rocky Mountains, never before trodden by human foot, and unfurled the flag of our Union from that bleak pinnacle, 13,570 feet above the level of the ocean—the highest point at which that flag ever waved. We are tempted to extract from his official report that exploration the following account of the ascent of the summit:

Aug. 15.—It had been supposed that we had finished with the mountain, and the evening before it had been arranged that Carson should set out at daylight, and return to breakfast at the Camp of the Mules, taking with him all but four or five men, who were to stay with me and bring back the mules and instruments. At the break of day they set out. With Mr. Preuss and myself remained Basil Lajeunesse, Clement Lambert, Janisse, and Descoeur. When we had secured strength for the day by a heavy breakfast, we covered what remained, and then, as we were for one hour, with rocks in order that it might be safe from any menacing bird, and saddling our mules, turned our faces once more toward the peaks. This time we determined to proceed quietly and cautiously, deliberately resolved to accomplish our object if it were within the compass of human power. As we were of opinion that the long distance which lay to the left of our route would lead us to the foot of the main peak, our mules had been refreshed by the fine grass in the little ravine at the land camp, and we intended to ride up the defile as far as possible, in order to reach the summit by the most direct route. Though the ascent was not without its difficulties, it was not without its pleasures. The snow lay along the border of the small stream which we followed, and the mules were very much refreshed by the cool water of the stream. We soon had the satisfaction to find ourselves riding along the huge wall which forms the central summit of the chain. The ascent was not without its difficulties, but we were very much refreshed by the fine grass in the little ravine at the land camp, and we intended to ride up the defile as far as possible, in order to reach the summit by the most direct route. 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